

**IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF OKLAHOMA**

RICK ALAN HAUNSCHILD,)	
)	
Petitioner,)	
-vs-)	Case No. CIV-11-582-F
)	
WARDEN RANDALL G.)	
WORKMAN,)	
)	
Respondent.)	

ORDER

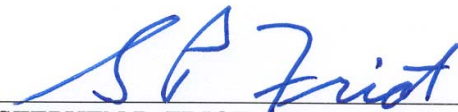
On September 26, 2011, United States Magistrate Judge Gary M. Purcell issued a Supplemental Report and Recommendation (doc. no. 25), wherein he recommended that respondent's motion to dismiss be granted and petitioner's petition for a writ of habeas corpus pursuant to 28 U.S.C. § 2254 be dismissed as time-barred under 28 U.S.C. § 2244(d)(1).

Presently before the court is petitioner's timely objection to the Supplemental Report and Recommendation. In accordance with 28 U.S.C. § 636(b), the court has conducted a *de novo* review of the matter. Having done so, the court concurs with the analysis of Magistrate Judge Purcell. The court concludes that petitioner's objection is without merit. Petitioner has not provided sufficient facts to demonstrate that state-created impediments prevented petitioner from timely filing his federal habeas petition. Further, he has failed to show that he diligently pursued his federal claims and that extraordinary circumstances warrant equitable tolling of the one-year limitations period. The court therefore concludes that petitioner's § 2254 habeas petition should be dismissed as time-barred under 28 U.S.C. § 2244(d)(1).

Accordingly, the Supplemental Report and Recommendation issued by United States Magistrate Judge Gary M. Purcell (doc. no. 25) is **ACCEPTED, ADOPTED**

and **AFFIRMED**. Respondent's Motion to Dismiss Petition for Habeas Corpus as Time Barred by the Statute of Limitations (doc. no. 21) is **GRANTED**. Petitioner's petition for a writ of habeas corpus pursuant to 28 U.S.C. § 2254 (doc. no. 1) is **DISMISSED** as time-barred under 28 U.S.C. § 2244(d)(1).

DATED October 31, 2011.



STEPHEN P. FRIOT
UNITED STATES DISTRICT JUDGE

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